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PTO/SB/05 (03-01)

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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	S93-160 CON2	Total Pages	77
	First Named Inventor or Application Identifier			
	Cohen			
	Express Mail Label No.	EV 159 436 544 US		

APPLICATION ELEMENTS <i>See MPEP chapters 600 concerning utility patent application contents.</i>	Commissioner for Patents P.O. Box 1450 Mail Stop PATENT APPLICATION Alexandria, VA 22313-1450
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1. ☒ Fee Transmittal Form [Total Pages 4]
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
3. ☒ Specification [Total Pages 47]
(preferred arrangement set forth below, MPEP 1503.01)
- Descriptive title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description of the Invention (including drawings, if filed)
- Claim(s)
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 1]
5. ☒ Oath or Declaration [Total Sheets 4]
a. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76 [Total Sheets 2]

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☒ Nucleotide and/or Amino Acid Sequence Submission
a. ☐ Computer Readable Form (CRF)
b. ☐ Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☒ paper [Total pages 11]
c. ☐ Statement verifying identity of above copies

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ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☒ Power of Attorney and Transmittal (copy from prior application)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment [Total Sheets 5]
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) | of prior application No.: 09/804,690 filed March 12, 2001 .

Prior application information: Examiner: Misook Yu

Group Art Unit: 1642

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☐ Customer Number

Insert Customer No.

or ☒ Correspondence address below

NAME	Bertram I. Rowland, Esq., Lumen Intellectual Property Services, Inc.				
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NY2: 1476341.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application:

Examiner Misook YuArt Unit 1642Conf. No. 1876

Commissioner for Patents

P.O. Box 1450

Mail Stop PATENT APPLICATION

Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b) of pending U.S. application no. 09/804,690 filed March 12, 2001

of Stanley COHEN and Limin LI

(inventor(s) currently of record in prior application)

for MAMMALIAN TUMOR SUSCEPTIBILITY GENES AND THEIR USES

(title of invention)

1. ☒ The filing fee is calculated below in view of the Preliminary Amendment referred to in paragraph 2 below:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	8	- 20	0	\$18.00 each	\$ 0.00
Independent	3	- 3	0	\$86.00 each	\$ 0.00
Minimum Fee					\$ 770.00
Multiple Dependency Fee If Applicable (\$280.00)					\$ 290.00
Total					\$ 1060.00
Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 530.00
Total Filing Fee					\$ 530.00

2. ☒ Claims 1-23 have been canceled, without prejudice, and new Claims 24-28 have been added as set forth in the Preliminary Amendment Under 37 C.F.R. § 1.115 filed on even date herewith.
3. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
4. ☒ The specification has been amended to update the cross reference to related applications as set forth in the Preliminary Amendment Under 37 C.F.R. § 1.115 filed on even date herewith.
5. ☒ Informal drawings are enclosed (one figure on one sheet).

6. ☒ The prior application is assigned of record to The Board of Trustees of the Leland Stanford Junior University.
7. ☒ A copy of the Power of Attorney filed in the prior application no. 09/804,690 filed March 12, 2001 is enclosed.
8. ☒ Additional enclosures or instruction: (a) Preliminary Amendment Under 37 C.F.R. § 1.115; and (b) Application Data Sheet Under 37 C.F.R. § 1.76.

Respectfully submitted,

By: Stephen G. U., Reg. No. 43,171

Date: October 29, 2003

Bertram I. Rowland 20,015
Bertram I. Rowland (Reg. No.)
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(650) 424-0100

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/804,690	
	Filing Date	03/12/2001	
	First Named Inventor	Stanley N. Cohen	
	Art Unit	1842	
	Examiner Name	Misook Yu	
Total Number of Pages in This Submission	2	Attorney Docket Number	S93-180/CIP/DIV2/CON

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Bertram Rowland, Reg. No. 20,015
Signature	<i>Bertram Rowland</i>
Date	09/29/03

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Sarah Treat	
Signature	<i>Sarah Treat</i>	Date 9/29/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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